

### 3.7 Sample Responses by Mail

This Section contains several examples of traffic citations and the cited defendant's letters of explanation accompanying them. The action taken in each case is summarized at the bottom of the letter of explanation.

#### A. Citation and Letter Admitting Responsibility with Explanation

##### 1. Sample Citation (Front)

State of Michigan Uniform Law Citation		Ticket No. <b>003483</b>		<input type="checkbox"/> Victim Involved
US DOT #		Incident No.	Dep't. No.	
The People of <input checked="" type="checkbox"/> the State of Michigan <input type="checkbox"/> Township <input type="checkbox"/> City <input type="checkbox"/> Village <input type="checkbox"/> County		Local Use/Arrest No.	Detection Device	
OF:		BAC		
THE UNDERSIGNED SAYS THAT ON:		Month <b>07</b> Day <b>26</b> Year <b>02</b>	At approximately <input checked="" type="checkbox"/> A.M. <input type="checkbox"/> P.M. <b>10:50</b>	Date of Birth Month <b>01</b> Day <b>20</b> Year <b>50</b>
State <b>MI</b>	Driver's License Number <b>W 406 788 658 507</b>	Social Security No. <b>376 80 4080</b>		
Race <b>W</b>	Sex <b>M</b>	Height <b>6'</b>	Weight <b>165</b>	Brn Grn Eyes <b>Grn</b> Occupation/Employer <b>Laborer</b>
Name (First, Middle, Last) <b>George A. White, Jr.</b>				
Street <b>1140 Flint Hwy.</b>				
City <b>Flushing</b>	State <b>MI</b>	Zip Code <b>48814</b>		
Vehicle Plate No. <b>1ZG Z63</b>	Year <b>02</b>	State <b>MI</b>	Vehicle Description (Year, Make, Color) <b>'01 Honda Accord Beige</b>	Type <b>PA</b>
THE PERSON NAMED ABOVE, in violation of <input type="checkbox"/> Local Ordinance <input type="checkbox"/> State Law <input type="checkbox"/> Administrative Rule				
UPON <b>S/B U.S. 131</b>				
AT OR NEAR <b>Deadstream Rd.</b>				
WITHIN <input type="checkbox"/> CITY <input type="checkbox"/> VILLAGE <input checked="" type="checkbox"/> TOWNSHIP OF <b>Benzie</b>				
COUNTY OF _____ DID THE FOLLOWING				
Type	MCL Cite/Pacc Code/Ordinance	Description (include any bond amount collected on each charge)	Charge No.	
<input checked="" type="checkbox"/> C/I <input type="checkbox"/> Warn <input type="checkbox"/> Authorization pend.	<b>627</b>	<b>Speed 50/40</b>	<b>1</b>	
<input checked="" type="checkbox"/> C/I <input type="checkbox"/> Warn <input type="checkbox"/> Authorization pend.	<b>710E</b>	<b>Seatbelt violation</b>	<b>2</b>	
<input type="checkbox"/> C/I <input type="checkbox"/> Warn <input type="checkbox"/> Authorization pend.			<b>3</b>	
TO THE COURT: Do not arraign on a felony charge until an authorized complaint is filed.				
Offense Code(s) <b>1 627 2 710E 3</b>				
Key for Type: C/I = Civil Infraction Misd = Misdemeanor Fel = Felony Warn = Warning Fug = Fugitive Wav = Violation for Which Fines/Costs May be Waived Authorization pend. = Authorization pending				
Remarks:				
CHECK IF APPROPRIATE <input type="checkbox"/> Damage to Property <input type="checkbox"/> Local Court Bond \$ <input type="checkbox"/> <input type="checkbox"/> Vehicle Impounded <input type="checkbox"/> Injury <input type="checkbox"/> License Posted in Lieu of Bond <input type="checkbox"/> <input type="checkbox"/> Traffic Crash <input type="checkbox"/> Death <input type="checkbox"/> Appearance Certificate <input type="checkbox"/> Person in Active Military Service <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/> None				
SEE DATE BELOW. SEE BACK OF CITATION FOR EXPLANATION AND INSTRUCTIONS Appearance Date on or before <b>8/22/02 8:30 AM</b>				
Hearing Date (if applicable) on _____ <input type="checkbox"/> Contact Court <input type="checkbox"/> Juvenile Traffic Misd. (Court will Notify) <input type="checkbox"/> Formal Hearing Required. (Court will Notify)				
In the <b>85th District Court</b> Court of <b>Benzie County</b>				
Court Address & Phone Number <b>448 Court Place (931) 882-9671</b> <b>Beulah, MI 49617</b>				
<input checked="" type="checkbox"/> I served a copy of the civil infraction complaint upon the defendant (or owner/occupant by posting if applicable). I declare under the penalties of perjury that the statements above are true to the best of my information, knowledge, and belief.				
Complainant's Signature and receipt if applicable <b>Arnold Blue</b>		Month <b>07</b> Day <b>26</b> Year <b>02</b>		
Officer's Name (printed) <b>Arnold Blue</b>		Officer's ID No. <b>714</b>		
Agency ORI <b>MI-071</b>		Agency Name <b>Mich. State Police</b>		
UC-01a (rev. 9/02)				

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### 3. Letter Admitting Responsibility with Explanation

1140 Flint Highway  
Flushing, MI 48433

July 26, 2002

To Whom It May Concern:

I wish to admit responsibility for this speeding citation with explanation of the circumstances.

My family and I were traveling on Route 31 while attempting to locate the Betsie River. As I passed through the village of Honor, I complied with the posted speed limit signs as they were observed. As I left the village and was on what I thought was open highway, I resumed my speed. I was not aware that I was still within the village limit (there is no sign or indication of where the village ends).

I attempted to explain to the officer that I was not familiar with the area, and by all appearances I was no longer in the village, but on an open highway.

I have had a clean driving record for many years, and feel that this is the result of inadequate identification of village limits.

Please consider these circumstances in any determination you make of this infraction.

Sincerely,

George A. White, Jr.

### 4. Action Taken

The defendant signed the citation, admitted responsibility, and offered an explanation. The magistrate accepted the admission of responsibility, evaluated the explanation and imposed civil sanctions. A judgment was prepared and sent to the defendant.

The decision to mitigate sanctions in this case is up to the discretion of the magistrate. The magistrate should consider what a reasonable person from outside the area would have done in the defendant's situation, in light of the overall appearance of the roads and signs in question. The magistrate's own familiarity with the roads, signs, and speed limits in his or her own area is important in a case such as this one; the magistrate in this case might personally view the area where the infraction occurred in this case to assess the defendant's explanation. The defendant's unfamiliarity with the area might justify a mitigation of sanctions in this case, especially if the defendant's assertions about the inadequate signage and his clean driving record were true. However, an argument against mitigation might be that the defendant should have been extra careful driving near a village, in an unfamiliar area.

# **B. Citation and Letter Explaining the Circumstances, but Not Admitting Responsibility**

## **1. Sample Citation (Front)**

<input checked="" type="checkbox"/> C.I. <input type="checkbox"/> MIS. <input type="checkbox"/> JUV.		State of Michigan Uniform Law Citation		Ticket No. <u>A473651</u>		<input type="checkbox"/> Victim Involved	
The People of: <input type="checkbox"/> the State of Michigan <input checked="" type="checkbox"/> Township <input type="checkbox"/> City <input type="checkbox"/> Village <input type="checkbox"/> County				Incident No.		Dept. No. <u>868</u>	
OF: <u>Northville</u>				Local Use/Arrest No.		Offense Code	
THE UNDERSIGNED Month <u>07</u> Day <u>20</u> Year <u>02</u> At approximately <input checked="" type="checkbox"/> A.M. <input type="checkbox"/> P.M. Date of Birth Month <u>09</u> Day <u>21</u> Year <u>73</u>				BAC			
SAYS THAT ON:				Driver's License Number <u>MI G 973 451 776 382</u>		Social Security No.	
State <u>MI</u>		Driver's License Number		Social Security No.			
Race <u>B</u>	Sex <u>F</u>	Height <u>5'6"</u>	Weight <u>140</u>	Hair <u>Blk</u>	Eyes <u>Brn</u>	Occupation/Employer <u>Sales - Sears</u>	
Name (First, Middle, Last) <u>Donna Michelle Green</u>							
Street <u>3817 Independence</u>							
City <u>Westland</u>		State <u>MI</u>		Zip Code <u>48185</u>			
Vehicle Plate No. <u>DZ 0070</u>		Year <u>02</u>	State <u>MI</u>	Vehicle Description (Year, Make, Color) <u>2000 Ford pickup - blue</u>		Type <u>FU</u>	
THE PERSON NAMED ABOVE, in violation of §							
<input checked="" type="checkbox"/> Local Ordinance <input type="checkbox"/> State Law <input type="checkbox"/> Administrative Rule							
UPON <u>S/B Haggerty Rd.</u>							
AT OR NEAR <u>6-Mile Rd.</u>							
WITHIN <input type="checkbox"/> CITY <input type="checkbox"/> VILLAGE <input checked="" type="checkbox"/> TOWNSHIP OF <u>Northville</u>							
COUNTY OF <u>Wayne</u>							
<input type="checkbox"/> Nuisance Ordinance		<input type="checkbox"/> Building Code		<input type="checkbox"/> Speeding <u>    </u> MPH in a <u>    </u> MPH Zone		<input type="checkbox"/> License Posted in Lieu of Bond	
<input type="checkbox"/> Licenses Ordinance		<input type="checkbox"/> Plumbing Code		<input type="checkbox"/> Zone (formerly <u>    </u> MPH Zone)		<input type="checkbox"/> Appearance Certificate	
<input type="checkbox"/> Zoning Ordinance		<input type="checkbox"/> Electrical Code		<input checked="" type="checkbox"/> Disobey Traffic Signal			
<input type="checkbox"/> Sign, Lighting & Display Ordinance		<input type="checkbox"/> Mechanical Code		<input type="checkbox"/> Disobey Stop Sign			
<input type="checkbox"/> Animal & Fowl Ordinance		<input type="checkbox"/> Defective Equipment		<input type="checkbox"/> No Operator's License in Possession			
<input type="checkbox"/> Other							
Describe/Remarks: <u>Fail to stop at steady red signal</u>							
CHECK IF APPROPRIATE <input type="checkbox"/> Damage to Property <input type="checkbox"/> Local Court Bond \$ <u>    </u>							
<input type="checkbox"/> Vehicle Impounded		<input type="checkbox"/> Injury		<input type="checkbox"/> License Posted in Lieu of Bond		<input type="checkbox"/> JUV.	
<input type="checkbox"/> Traffic Crash		<input type="checkbox"/> Death		<input type="checkbox"/> Appearance Certificate			
Person in Active Military Service <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No							
SEE DATE BELOW. SEE BACK OF CITATION FOR EXPLANATION AND INSTRUCTIONS							
Appearance Date on or before <u>8-4-02</u> <u>8:30 A.M.</u>							
Hearing Date (if applicable) on <u>    </u> <input type="checkbox"/> Contact Court							
<input type="checkbox"/> Juvenile Traffic Misd. (Court will Notify) <input type="checkbox"/> Formal Hearing Required. (Court will Notify)							
In the <u>35th District</u> Court of <u>Michigan</u>				Ticket <u>A473651</u>			
Court Address & Phone Number <u>660 Plymouth Rd. (734) 459-4740</u>				Name <u>Donna Michelle Green</u>			
<u>Plymouth, MI 48170</u>				Case No. <u>02-93-1</u>			
<input type="checkbox"/> I personally served a copy of the complaint upon the defendant.							
<input type="checkbox"/> I served a copy of the complaint upon the owner/occupant by posting and by sending a copy to the owner by first class mail at the last known address.							
I declare under the penalties of perjury that the statements above are true to the best of my information, knowledge, and belief.							
Complainant's Signature and receipt if applicable <u>Clam Chueless</u>				Month <u>07</u> Day <u>20</u> Year <u>02</u>			
Officer's Name (printed) <u>Clam Chueless</u>				Officer's ID No.			
Agency ORI <u>MI-82868</u>		Agency Name <u>Northville P.D.</u>					
<input type="checkbox"/> Violation for Which Court May Wave Fine/Costs: Correct the violation. Present the citation to any law enforcement officer to certify the correction. Mail or bring the citation to the court clerk at the address shown above before your appearance or hearing date.							
OFFICER CERTIFICATION I certify that the violation described above has been corrected.							
Officer's Signature				Officer's ID No.		Date	
Agency ORI				Agency Name			
UC-01b (rev. 9/02)							

## 2. Sample Citation (Back)

Last		First		Middle		
Name:						
District Court Register of Actions		<input type="checkbox"/> Change of address listed below		Citation No.		
Violation		Date		Case No.		
Bond History <input type="checkbox"/> Per. Recog. <input type="checkbox"/> Conditional <input type="checkbox"/> Cash <input type="checkbox"/> Surety <input type="checkbox"/> 10% Cash <input type="checkbox"/> Real Property						
Amount/Value of Bond: \$ Set by:						
Appearance		Attorney name		<input type="checkbox"/> Waived <input type="checkbox"/> Requested: <input type="checkbox"/> Retained <input type="checkbox"/> Grant <input type="checkbox"/> Deny		
Date:						
Plea <input type="checkbox"/> Admit <input type="checkbox"/> Guilty <input type="checkbox"/> Mute, Not Guilty <input type="checkbox"/> Admit with Explanation <input type="checkbox"/> Deny <input type="checkbox"/> Not Guilty <input type="checkbox"/> No Contest						
Hearing/Trial Date <input type="checkbox"/> Formal Hearing <input type="checkbox"/> Informal Hearing <input type="checkbox"/> Jury Trial <input type="checkbox"/> Non-Jury Trial						
Hrg/Trial Date		Time <input type="checkbox"/> a.m. <input type="checkbox"/> p.m.		Adjournment Date Time <input type="checkbox"/> a.m. <input type="checkbox"/> p.m.		
Notices to:		Findings <input type="checkbox"/> Responsible <input type="checkbox"/> Not Responsible <input type="checkbox"/> By Default				
<input type="checkbox"/> Defendant <input type="checkbox"/> Pros. Attorney		<input type="checkbox"/> Guilty <input type="checkbox"/> Not Guilty <input type="checkbox"/> As Charged <input type="checkbox"/> Nolle Prosequi				
<input type="checkbox"/> Police Agency <input type="checkbox"/> Def. Attorney		<input type="checkbox"/> Guilty as Amended <input type="checkbox"/> Dismissed				
Sentence <input type="checkbox"/> State <input type="checkbox"/> Ordinance						
Fine	Court Costs	State Fees	Bond Fee	Other	Witness Fees Credit Total	
\$	\$	\$	\$	\$	\$ \$ \$ \$ \$	
Days	Credit Days	Payment Date	Installment Amount and Terms			
			\$			
Additional Sanctions						
Appeals						
Appeal Bond \$ Appeal to: Court						
DATE ACTIONS, CASE NOTES						
					Name:  Last  First  Middle  Citation No.	
						Judge/Magistrate/Deputy Clerk
COURT COPY						

### 3. Letter Explaining the Circumstances But Not Admitting Responsibility

3817 Independence  
Westland, MI 48185

July 24, 2002

Court Clerk,

I am an instructor at Schoolcraft College. On my way to campus on the morning of the 20th of July, I received a ticket for making a left hand turn on a red light. When I entered the intersection, the light was still amber. I did not actually see the light turn red; however, I assumed it turned red while I was turning through the intersection.

This Haggerty-Six Mile intersection is usually quite backed up with cars turning left onto Six Mile. Many students leaving Schoolcraft head south on Haggerty to Six Mile. They then turn east onto Six Mile and enter I-275. This direction that many students head is also the direction that I head. Many cars enter this intersection on a solid red, whereas when I entered, the light was still amber.

Please consider the dismissal of this ticket.

Thank you.

Michele D. Green

### 4. Action Taken

This citation, like the previous one, was signed by the defendant. However, because the defendant asked the court to “consider the dismissal of this ticket,” she denied rather than admitted responsibility. Therefore, the court sent the defendant a letter regarding non-acceptance of admission with explanation (see Sections 3.5(B) and 3.8).

**Note:** A defendant’s request that a ticket be dismissed should not automatically be treated as a denial of responsibility because defendants do not always understand the nuances of the statements they make. The magistrate should decide whether to treat such a request as a denial by reading the defendant’s explanation in its entirety to see if the defendant’s other statements are consistent with a denial. This letter was treated as a denial because the defendant asserted that the light was not red when she entered the intersection.

**C. Citation and Letter  
Explaining the  
Circumstances and  
Indicating an  
Admission of  
Responsibility**

**1. Sample Citation  
(Front)**

State of Michigan Uniform Law Citation		Ticket No. <u>58001</u>		<input type="checkbox"/> Victim Involved	
US DOT #		Incident No.		Dept. No. <u>407</u>	
The People of <input type="checkbox"/> the State of Michigan <input type="checkbox"/> Township <input checked="" type="checkbox"/> City <input type="checkbox"/> Village <input type="checkbox"/> County		Local Use/Arrest No.		Detection Device	
OF: <u>Frankfort</u>		BAC		of	
THE UNDERSIGNED		Month <u>06</u> Day <u>15</u> Year <u>02</u>	At approximately <u>2:30</u>	<input type="checkbox"/> A.M. <input checked="" type="checkbox"/> P.M.	Date Month <u>03</u> Day <u>07</u> Year <u>55</u>
SAYS THAT ON:					
State <u>MI</u>	Driver's License Number <u>G 202 918 718 914</u>	Social Security No.			
Race	Sex	Height	Weight	Hair	Eyes
Occupation/Employer					
Name (First, Middle, Last) <u>Ronald Alan Gray</u>					
Street <u>23415 Regal Road</u>					
City <u>Cadillac</u>	State <u>MI</u>	Zip Code <u>49149</u>			
Vehicle Plate No. <u>3776 CF</u>	Year <u>02</u>	State <u>MI</u>	Vehicle Description (Year, Make, Color) <u>'98 Chevy pickup red</u>		Type <u>PU</u>
THE PERSON NAMED ABOVE, in violation of <input type="checkbox"/> Local Ordinance <input type="checkbox"/> State Law <input type="checkbox"/> Administrative Rule					
UPON <u>Lake St.</u>					
AT OR NEAR <u>Main St.</u>					
WITHIN <input checked="" type="checkbox"/> CITY <input type="checkbox"/> VILLAGE <input type="checkbox"/> TOWNSHIP OF <u>Frankfort</u>					
COUNTY OF <u>Benzie</u> DID THE FOLLOWING					
MCL Cite/Pacc Code/		Charge			
Type	Ordinance	Description (include any bond amount collected on each charge)			No.
<input checked="" type="checkbox"/> C1 <input type="checkbox"/> Warn <input type="checkbox"/> Authorization pend.		More than one vehicle in			
<input type="checkbox"/> Misd <input type="checkbox"/> Fug	<u>721</u>	tow behind passenger vehicle			
<input type="checkbox"/> Fel <input type="checkbox"/> Waiv					
<input type="checkbox"/> C1 <input type="checkbox"/> Warn <input type="checkbox"/> Authorization pend.					2
<input type="checkbox"/> Misd <input type="checkbox"/> Fug					
<input type="checkbox"/> Fel <input type="checkbox"/> Waiv					
<input type="checkbox"/> C1 <input type="checkbox"/> Warn <input type="checkbox"/> Authorization pend.					3
<input type="checkbox"/> Misd <input type="checkbox"/> Fug					
<input type="checkbox"/> Fel <input type="checkbox"/> Waiv					
TO THE COURT: Do not arraign on a felony charge until an authorized complaint is filed.					
Offense Code(s) <u>721</u> <u>3</u>					
Key for Type: C1 = Civil Infraction Misd = Misdemeanor Fel = Felony Warn = Warning Fug = Fugitive					
Waiv = Violation for Which Fines/Costs May be Waived Authorization pend. = Authorization pending					
Remarks:					
CHECK IF APPROPRIATE <input type="checkbox"/> Damage to Property <input type="checkbox"/> Local Court Bond \$					
<input type="checkbox"/> Vehicle Impounded <input type="checkbox"/> Injury <input type="checkbox"/> License Posted in Lieu of Bond					
<input type="checkbox"/> Traffic Crash <input type="checkbox"/> Death <input type="checkbox"/> Appearance Certificate					
Person in Active Military Service <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> None					
SEE DATE BELOW. SEE BACK OF CITATION FOR EXPLANATION AND INSTRUCTIONS					
Appearance Date on or before <u>July 7, 2002 @ 08:30</u>					
Hearing Date (if applicable) on <input type="checkbox"/> Contact Court					
<input type="checkbox"/> Juvenile Traffic Misd. (Court will Notify) <input type="checkbox"/> Formal Hearing Required. (Court will Notify)					
In the <u>85th District Ct.</u> Court of <u>Michigan</u>					
Court Address & Phone Number					
<u>415 Third St.</u>					
<u>Manistee, MI 49660 (231) 723-5010</u>					
<input checked="" type="checkbox"/> I served a copy of the civil infraction complaint upon the defendant (or owner/occupant by posting if applicable). I declare under the penalties of perjury that the statements above are true to the best of my information, knowledge, and belief.					
Complainant's Signature and receipt if applicable		Month <u>06</u> Day <u>15</u> Year <u>02</u>			
<u>Raymond Redd</u>					
Officer's Name (printed)		Officer's ID No.			
<u>Raymond Redd</u>		<u>0011</u>			
Agency (RI)		Agency Name			
<u>MI- 1040700</u>		<u>Frankfort P.D.</u>			
UC-01a (rev. 9/02)					

Ticket  
58001  
Name  
Ronald Alan Gray  
Case No.

## 2. Sample Citation (Back)

Last		First		Middle	
Name:					
District Court Register of Actions		<input type="checkbox"/> Change of address listed below		Citation No.	
Violation		Date		Case No.	
<b>Bond History</b> <input type="checkbox"/> Per. Recog. <input type="checkbox"/> Conditional <input type="checkbox"/> Cash <input type="checkbox"/> Surety <input type="checkbox"/> 10% Cash <input type="checkbox"/> Real Property Amount/Value of Bond: \$ _____ Set by: _____					
<b>Appearance</b>		Attorney name		<input type="checkbox"/> Waived <input type="checkbox"/> Requested: <input type="checkbox"/> Retained <input type="checkbox"/> Grant <input type="checkbox"/> Deny	
Date:					
<b>Plea</b> <input type="checkbox"/> Admit <input type="checkbox"/> Guilty <input type="checkbox"/> Mute, Not Guilty <input type="checkbox"/> Admit with Explanation <input type="checkbox"/> Deny <input type="checkbox"/> Not Guilty <input type="checkbox"/> No Contest					
<b>Hearing/Trial Date</b> <input type="checkbox"/> Formal Hearing <input type="checkbox"/> Informal Hearing <input type="checkbox"/> Jury Trial <input type="checkbox"/> Non-Jury Trial Hrg/Trial Date Time <input type="checkbox"/> a.m.   Adjournment Date Time <input type="checkbox"/> a.m.   Adjournment Date Time <input type="checkbox"/> a.m. <input type="checkbox"/> p.m.   <input type="checkbox"/> p.m.   <input type="checkbox"/> p.m.					
Notices to: <input type="checkbox"/> Local Attorney <input type="checkbox"/> Defendant <input type="checkbox"/> Pros. Attorney <input type="checkbox"/> Police Agency <input type="checkbox"/> Def. Attorney		<b>Findings</b> <input type="checkbox"/> Responsible <input type="checkbox"/> Not Responsible <input type="checkbox"/> By Default <input type="checkbox"/> Guilty <input type="checkbox"/> Not Guilty <input type="checkbox"/> As Charged <input type="checkbox"/> Nolle Prosequi <input type="checkbox"/> Guilty as Amended <input type="checkbox"/> Dismissed			
<b>Sentence</b> <input type="checkbox"/> State <input type="checkbox"/> Ordinance Fine _____ Court Costs _____ State Fees _____ Bond Fee _____ Other _____ Witness Fees _____ Credit _____ Total _____ \$ _____ \$ _____ \$ _____ \$ _____ \$ _____ \$ _____ \$ _____					
Days	Credit Days	Payment Date	Installment Amount and Terms		
			\$ _____		
Additional Sanctions					
<b>Appeals</b> Appeal Bond \$ _____ Appeal to: _____ Court					
DATE		ACTIONS, CASE NOTES			
		<div style="display: flex; justify-content: space-between; align-items: center;"> <div style="writing-mode: vertical-rl; transform: rotate(180deg);">Name:</div> <div style="writing-mode: vertical-rl; transform: rotate(180deg);">Last</div> <div style="writing-mode: vertical-rl; transform: rotate(180deg);">First</div> <div style="writing-mode: vertical-rl; transform: rotate(180deg);">Middle</div> <div style="writing-mode: vertical-rl; transform: rotate(180deg);">Citation No.</div> </div>			
		Judge/Magistrate/Deputy Clerk			
COURT COPY					



### **3. Letter Explaining the Circumstances and Indicating an Admission of Responsibility**

June 15, 2002

Gentlemen,

On June 15, 2002, I was pulling a large (26 foot) boat from Cadillac to Frankfort. On the way we encountered brake problems on the trailer.

Due to the steep hills between Benzonia and Frankfort, we were concerned about safety. We realized that on these hills there was a possibility of the brakes on my truck not being strong enough to keep the truck and trailer under control and at a safe reasonable speed.

Therefore, we tied the third vehicle (a fully operating and manned car) to the rear of the trailer to aid in braking the trailer down the steep grades, and keep it traveling down the grades in a very safe and controlled manner.

The third vehicle was not being towed, but was operating under its own power, and was only acting as a braking vehicle for the trailer.

We had all three required permits and flags, and the third vehicle stayed close enough to the trailer that a passing vehicle would not try to enter that space.

Sincerely,

Ronald Gray

### **4. Action Taken**

The defendant signed the citation, in effect admitted responsibility in the third paragraph, and offered an explanation. The court found the defendant responsible under the applicable statute, MCL 257.721, and sent the defendant a copy of the statute to help explain the decision, along with a copy of the judgment entered. An argument against mitigation of sanctions would be the law's specific prohibition of the defendant's behavior, which was extremely dangerous.

# D. Citation and Letter Denying Responsibility

## 1. Sample Citation (Front)

<input checked="" type="checkbox"/> C.I. <input type="checkbox"/> MIS. <input type="checkbox"/> JUV.		<b>State of Michigan Uniform Law Citation</b>		Ticket No. <u>59226</u>		<input type="checkbox"/> Victim Involved	
The People of: <input checked="" type="checkbox"/> the State of Michigan <input type="checkbox"/> Township <input type="checkbox"/> City <input type="checkbox"/> Village <input type="checkbox"/> County		Incident No.		Dept. No.			
OF: <u>Crystal Lake</u>		Local Use/Arrest No.		Offense Code		BAC	
THE UNDERSIGNED		Month	Day	Year	At approximately	<input type="checkbox"/> A.M. <input checked="" type="checkbox"/> P.M.	Date Month Day Year
SAYS THAT ON:		<u>08</u>	<u>01</u>	<u>02</u>	<u>5:25</u>		<u>10</u> <u>25</u> <u>80</u>
State	Driver's License Number	Social Security No.					
<u>MI</u>	<u>S 167 981 443 906</u>	<u>444 68 3214</u>					
Race	Sex	Height	Weight	Hair	Eyes	Occupation/Employer	
Name (First, Middle, Last) <u>John F. Smith</u>							
Street <u>2617 Albert</u>							
City	State		Zip Code				
<u>East Lansing</u>	<u>MI</u>		<u>48823</u>				
Vehicle Plate No.	Year	State	Vehicle Description (Year, Make, Color)		Type		
<u>3FTK12</u>	<u>02</u>	<u>MI</u>	<u>99 Honda Civic wht.</u>		<u>PA</u>		
THE PERSON NAMED ABOVE, in violation of § <u>627</u>							
<input type="checkbox"/> Local Ordinance <input checked="" type="checkbox"/> State Law <input type="checkbox"/> Administrative Rule							
UPON <u>EB on South Shore</u>							
AT OR NEAR <u>Bellows</u>							
WITHIN <input type="checkbox"/> CITY <input type="checkbox"/> VILLAGE <input checked="" type="checkbox"/> TOWNSHIP OF <u>Crystal Lake</u>							
COUNTY OF <u>Benzie</u>							
<input type="checkbox"/> Nuisance Ordinance		<input type="checkbox"/> Building Code		<input checked="" type="checkbox"/> Speeding <u>35</u> MPH in a <u>25</u> MPH Zone (formerly _____ MPH Zone)			
<input type="checkbox"/> Licenses Ordinance		<input type="checkbox"/> Plumbing Code		<input type="checkbox"/> Disobey Traffic Signal			
<input type="checkbox"/> Zoning Ordinance		<input type="checkbox"/> Electrical Code		<input type="checkbox"/> Disobey Stop Sign			
<input type="checkbox"/> Sign, Lighting & Display Ordinance		<input type="checkbox"/> Mechanical Code		<input type="checkbox"/> No Operator's License in Possession			
<input type="checkbox"/> Animal & Fowl Ordinance		<input type="checkbox"/> Defective Equipment					
<input type="checkbox"/> Other							
Describe/Remarks: <u>Radar 35/38/39</u>							
CHECK IF APPROPRIATE		<input type="checkbox"/> Damage to Property		<input type="checkbox"/> Local Court Bond \$ _____		<input checked="" type="checkbox"/> C.I.	
<input type="checkbox"/> Vehicle Impounded		<input type="checkbox"/> Injury		<input type="checkbox"/> License Posted in Lieu of Bond		<input type="checkbox"/> MIS.	
<input type="checkbox"/> Traffic Crash		<input type="checkbox"/> Death		<input type="checkbox"/> Appearance Certificate		<input type="checkbox"/> JUV.	
Person in Active Military Service		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/> None					
SEE DATE BELOW. SEE BACK OF CITATION FOR EXPLANATION AND INSTRUCTIONS							
Appearance Date on or before <u>8/15/02</u> <u>8:30 A.M.</u>							
Hearing Date (if applicable) on _____ <input type="checkbox"/> Contact Court							
<input type="checkbox"/> Juvenile Traffic Misd. (Court will Notify) <input type="checkbox"/> Formal Hearing Required. (Court will Notify)							
In the <u>85th District</u>		Court of <u>Michigan</u>					
Court Address & Phone Number							
<u>448 Court Place (231) 882-9671</u>							
<u>Beulah, MI 49167</u>							
<input checked="" type="checkbox"/> I personally served a copy of the complaint upon the defendant.							
<input type="checkbox"/> I served a copy of the complaint upon the owner/occupant by posting and by sending a copy to the owner by first class mail at the last known address.							
I declare under the penalties of perjury that the statements above are true to the best of my information, knowledge, and belief.							
Complainant's Signature and receipt if applicable		Month		Day	Year		
<u>Max Radar</u>		<u>08</u>		<u>01</u>	<u>02</u>		
Officer's Name (printed)		Officer's ID No.					
<u>Max Radar</u>							
Agency ORI		Agency Name					
<u>MI-1011000</u>		<u>Benzie County Sheriff</u>					
<input type="checkbox"/> Violation for Which Court May Waive Fine/Costs: Correct the violation. Present the citation to any law enforcement officer to certify the correction. Mail or bring the citation to the court clerk at the address shown above before your appearance or hearing date.							
OFFICER CERTIFICATION I certify that the violation described above has been corrected.							
Officer's Signature		Officer's ID No.		Date			
Agency ORI		Agency Name					

UC-01b  
(rev. 9/02)

## 2. Sample Citation (Back)

Last		First		Middle	
Name:					
District Court Register of Actions		<input type="checkbox"/> Change of address listed below		Citation No.	
Violation		Date		Case No.	
Bond History <input type="checkbox"/> Per. Recog. <input type="checkbox"/> Conditional <input type="checkbox"/> Cash <input type="checkbox"/> Surety <input type="checkbox"/> 10% Cash <input type="checkbox"/> Real Property					
Amount/Value of Bond: \$ Set by:					
Appearance		Attorney name		<input type="checkbox"/> Waived <input type="checkbox"/> Requested:	
Date:				<input type="checkbox"/> Retained <input type="checkbox"/> Grant <input type="checkbox"/> Deny	
Plea <input type="checkbox"/> Admit <input type="checkbox"/> Guilty <input type="checkbox"/> Mute, Not Guilty <input type="checkbox"/> Admit with Explanation					
<input type="checkbox"/> Deny <input type="checkbox"/> Not Guilty <input type="checkbox"/> No Contest					
Hearing/Trial Date <input type="checkbox"/> Formal Hearing <input type="checkbox"/> Informal Hearing <input type="checkbox"/> Jury Trial <input type="checkbox"/> Non-Jury Trial					
Hrg/Trial Date Time <input type="checkbox"/> a.m. <input type="checkbox"/> p.m.		Adjournment Date Time <input type="checkbox"/> a.m. <input type="checkbox"/> p.m.		Adjournment Date Time <input type="checkbox"/> a.m. <input type="checkbox"/> p.m.	
Notices to: <input type="checkbox"/> Local Attorney <input type="checkbox"/> Pros. Attorney <input type="checkbox"/> Police Agency		Findings <input type="checkbox"/> Responsible <input type="checkbox"/> Not Responsible <input type="checkbox"/> By Default			
<input type="checkbox"/> Def. Attorney		<input type="checkbox"/> Guilty <input type="checkbox"/> Not Guilty <input type="checkbox"/> As Charged <input type="checkbox"/> Nolle Prosequi			
<input type="checkbox"/> State <input type="checkbox"/> Ordinance		<input type="checkbox"/> Guilty as Amended <input type="checkbox"/> Dismissed			
Sentence		Fine Court Costs State Fees Bond Fee Other Witness Fees Credit Total			
\$		\$ \$ \$ \$ \$ \$ \$ \$			
Days Credit Days Payment Date		Installment Amount and Terms			
		\$			
Additional Sanctions					
Appeals					
Appeal Bond \$ Appeal to: Court					
DATE ACTIONS, CASE NOTES					
				Name:  Last  First  Middle  Citation No.	
Judge/Magistrate/Deputy Clerk					
COURT COPY					

### 3. Letter Denying Responsibility

August 4, 2002

Dear Mr. or Ms. Magistrate:

This letter is to inform the court that I plead innocent to Citation #X-0001 of Department #910-82 on 8-01-02 at 5:25 p.m. I deny responsibility for this citation.

I was traveling westbound on South Shore immediately after traveling on US 31 north and connecting routes local to South Shore. I had been traveling four hours at 55 mph from Lansing, where I am a student. My eyes were to the left of the South Shore Road at that time. I never crossed the midline or road shoulder. My speed was 30 mph to my recollection. I never saw any speed limit road signs. Later, I noticed them on the right side of the road. I would have yielded to the speed limit with careful compliance had I seen them. They were not, to my knowledge, highly visible or I would have noticed.

After I was ordered to stop by an officer, I left my car to ask why I was stopped. After explanation of the radar speeds I was measured at, I tried to explain my unfamiliarity with the area and my disadvantage of not seeing any local traffic for reference, but I was verbally abused by the officer for my explanation. The officer threatened bodily harm to me and a witness in my car, made threatening remarks about incarcerating the two of us for no apparent reason, and performed a search of our car for alcohol without cause or necessity. I agreed with my friend who is an attorney that Officer Max Radar (I.D. #77) was overly aggressive vocally and bodily, excessively slow in his execution of due process, and to us a disappointment in criminal law enforcement judgment for citing a visitor for 10 mph over the limit without evidence of danger to local traffic or the public.

I am appealing to the court to dismiss this citation for the following reasons:

- 1) Poor placement and visibility of speed signs
- 2) The fact that there was no local traffic at the time of citation
- 3) The speed was not a reckless speed and was unnoticed due to a local beach attraction and "conditioning" from hours of freeway travel
- 4) The defendant's unfamiliarity with the local areas of drastic speed reductions.

I will not be able to attend any court sessions in Frankfort due to final exams during the weeks of August 27 and September 3.

I hope the court will do justice.

Sincerely,

John Smith, M.A.

### 4. Action Taken

The defendant did not sign the citation and denied responsibility in the letter. Therefore, the court scheduled an informal hearing and sent the defendant a notice. The hearing date was set to avoid a conflict with final exams during the weeks of August 27 and September 3.

### 3.8 Sample Non-acceptance of “Admission with Explanation”

District Court of the State of Michigan  
District Nine - First Division

416 South Rose Street  
Kalamazoo, Michigan 49007  
Telephone 385-8083

Re: Non-Acceptance of “Admission with Explanation”

We have received your “Admission of Responsibility with Explanation” for traffic citation #\_\_\_\_\_ which was recently issued to you.

However, from a review of your explanatory statement, it appears that you are not admitting responsibility for the violation charged but are instead contesting the charge. We are therefore returning the citation and your signed “Admission” to you.

If you are in fact contesting the charge, you have a right to a Hearing (formal or informal) as set forth on the reverse side of the traffic citation and you may schedule such a Hearing in person, by mail or telephone (phone number) on or before (date). If, on further reflection, you do not wish to have a Hearing, you may return the traffic citation to us on or before (date) and the Court will then accept the same and assess fines and costs.

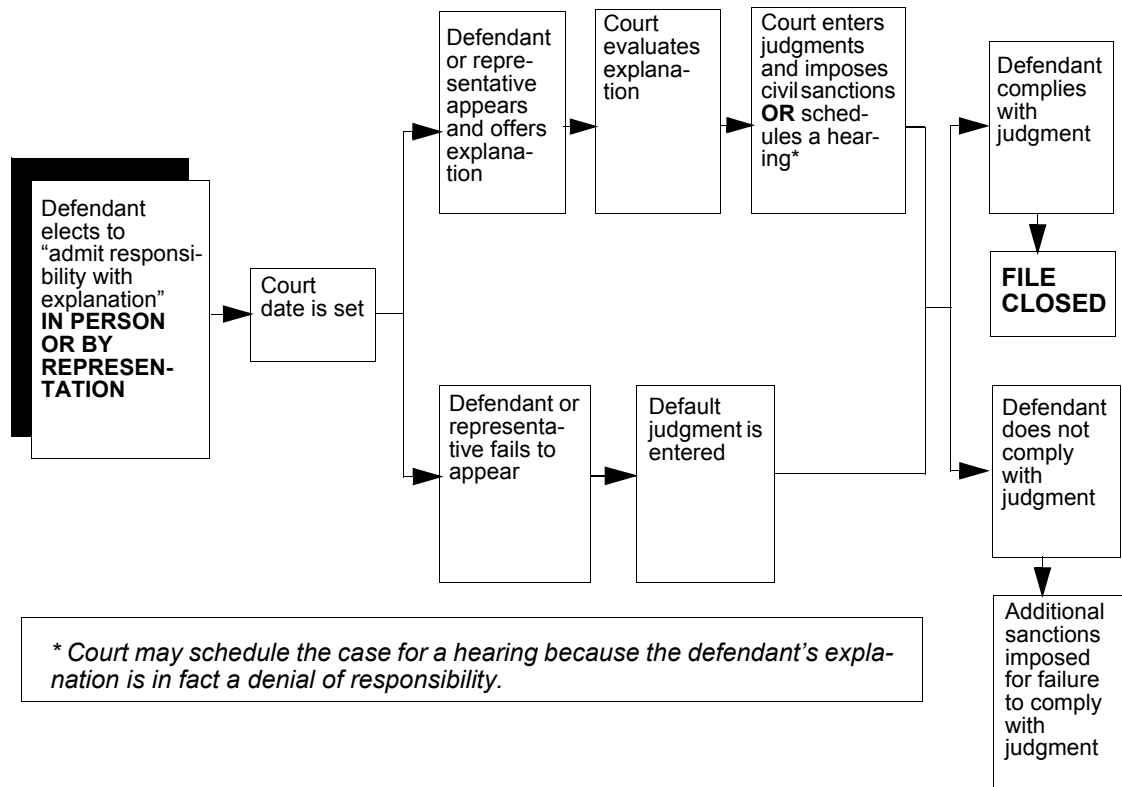
If we do not hear from you by (date), a default judgment will then be entered against you and a civil sanction assessed in the amount of \$\_\_\_\_\_.

Sincerely yours,

\_\_\_\_\_  
Magistrate

### 3.9 Flow Charts

#### A. Admission of Responsibility with Explanation in Person or by Representation



## B. Admission of Responsibility with Explanation by Mail

